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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PHAN, THAI Q

ART UNIT	PAPER NUMBER
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2128

12

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,224

Applicant(s)

SCHOLZ ET AL.

Examiner

Thai Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to applicants' amendment filed on Jan. 07, 2004. Claims 1-11 are pending.

Claim Objections

Claims 5, 8, and 10 are objected to because they are not originally claimed (as cited in the parentheses). The claims have been amended as in the present amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Comerford et al., US patent no. 6,513,009 B1, in view of Papineni et al, US patent no. 6,246,981 B1.

As per claim 1, Comerford discloses a dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface apparatus and method of operation include means and steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9,

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lines 25-41, for example) for human-computer speech enabled interaction (col. 2, line 41 to col. 3, line 8, for exemplary),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example). This would imply instantiating the interpreter as claimed in order to loading concept objects. Comerford discloses user interface programmer in defining an interface for user (col. 13, lines 37-50). Comerford does not expressly disclose the feature of "programmer defined" in the human-computer speech enabled interaction as claimed. Such feature of programmer defined for speech enable interaction is known in the art. In fact, Papineni teaches the feature of programmer defined or preprogrammed in dialog manager in human-computer dialog interactive interface (col. 3, lines 20-41, col. 9, lines 36-45, col. 10, lines 12-43, col. 12, lines 56-67, and Appendix A and B for programmer defined scripts for user's interaction application, for example) for managing a wide range of applications in task-oriented manner and easy to adapt to new applications as taught in col. 3, lines 1-5, and the reuse of dialog interpreter codes for various operation modes (col. 3, lines 21-41, col. 4, lines 1-32, for example).

For such reasons, it would thus motivate practitioner in the art at the time of the invention was made to modify Comerford dialog manager by combining programmer defined feature in the dialog management to enable human-computer interaction to interact with user's application in task oriented manner and adaptation way as taught in Papineni.

As per claim 2, Comerford discloses speech recognition engine as claimed (Background of the Invention).

As per claim 3, Comerford discloses data files are automatically stored (cols. 5-13, for example).

As per claim 4, Comerford discloses a graphic user interface as claimed (Figs. 1, 5, 8, and Summary of the Invention).

As per claim 5, claim 5 is directed to a system for developing dialogue enabled software on a computer for human and computer interact with feature limitations as in method claim 1 above. Comerford discloses a dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface apparatus and method includes steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example). This would imply instantiating the interpreter as claimed in order to load concept objects. Comerford discloses user interface programmer to define an interaction by user program (col. 13, lines 37-50). Comerford does not expressly disclose the feature of "programmer defined" in the human-computer

speech enabled interaction for the dialog interface as claimed. Such feature of programmer defined for speech enable interaction is known in the art. In fact, Papineni teaches programmer defined or predefined by programmer in dialog manager in human-computer interaction (col. 3, lines 20-41, col. 9, lines 36-45, col. 10, lines 12-43, col. 12, lines 56-67, for example) for managing a wide range of applications in task-oriented manner and easy to adapt to new applications as taught in col. 3, lines 1-5, and the reuse of dialog interpreter codes for various operation modes (col. 3, lines 21-41, col. 4, lines 1-32, for example).

For these reasons, it would motivate practitioner in the art at the time of the invention was made to modify Comerford dialog manager in the user interface by combining programmer defined feature in the dialog management to enable human-computer interaction to interact with user's application in task oriented manner and adaptation way as taught in Papineni.

As per claim 6, Comerford discloses a task model with data files stored in a library (cols. 14-16) for user interaction.

As per claim 7, Comerford discloses a user interaction interface as claimed (Figs. 1, 5, 8, 9, cols. 8, 9, 14-15).

As per claim 8, claim 8 is a computer readable medium for dialogue interpretation development, and Comerford discloses dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface program product includes means for performing steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Producing a data file for input to an interpreter (Figs. 1),

Interpreting the data file for input to an interpreter (Fig. 1),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example). This would imply instantiating loaded concept objects for the interpreter as claimed. Comerford discloses user interface programmer to define an interface for dialogue manager. Comerford does not expressly disclose the feature of "programmer defined" in the human-computer speech enabled interaction as claimed. Such feature of programmer defined for speech enable interaction is known in the art. In fact, Papineni teaches programmer defined (preprogrammed) in dialog manager for human-computer interaction (col. 3, lines 20-41, col. 9, lines 36-45, col. 10, lines 12-43, col. 12, lines 56-67, and Scripts shown in Appendix A and B for user's application interactive, for example) for managing a wide range of applications in task-oriented manner and easy to adapt to new applications in (col. 3, lines 1-5), and the reuse of dialog interpreter codes for various operation modes (col. 3, lines 21-41, col. 4, lines 1-32, for example).

Thus, this would have motivated practitioner in the art at the time of the invention was made to modify Comerford dialog manager by combining programmer defined

feature in the dialog management to enable human-computer interaction to interact with user's application in task oriented manner and in an adaptation way for various applications as taught in Papineni.

As per claim 9, Comerford discloses software interface as claimed (cols. 14-16).

As per claim 10, Comerford discloses a dialog manager with dialog flow interpreter for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog flow interpreter includes a plurality of program instructions for:

Inputting instructions or a data file specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example) for dialog implementation and dialog conducting (col. 5, lines 26-61, col. 8, lines 38-64, for example). Comer provides platforms to user interface programmer to define user interface with dialogue manager. Comerford does not expressly disclose the feature of "programmer defined" in the human-computer speech enabled interaction (dialog interface) as claimed. Such feature of programmer defined for speech enable interaction is known in the art. In fact, Papineni teaches the feature of "programmer defined" in dialog manager for human-computer interaction interface (col. 3, lines 20-41, col. 9, lines 36-45, col. 10, lines 12-43, col. 12, lines 56-67,

for example) for managing a wide range of applications in task-oriented manner and easy to adapt to new applications in (col. 3, lines 1-5) and for reuse of design codes as in col. 3, lines 20-41.

Thus, for these reasons, it would motivate for practitioner in the art at the time of the invention was made to modify Comerford dialog manager by combining programmer defined feature in the dialog management to enable human-computer interaction to interact with user's application in task oriented manner and adaptation way, and efficiency of design codes being reused in the dialog manager for various applications as taught in Papineni (col. 3, lines 20-41, and col. 4, lines 1-32).

As per claim 11, Comerford discloses the claimed limitations for dialog flow interpretation as claimed.

Response to Arguments

Applicant's arguments with respect to amended claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument Comerford does not disclose the amended feature of programmer-defined in the interaction between human and computer, the examiner agrees with. However, such amended feature is taught in the art. In fact, Papineni teaches the feature of "programmer defined" in dialog manager for human-computer interaction interface (col. 3, lines 20-41, col. 9, lines 36-45, col. 10, lines 12-43, col. 12, lines 56-67, for example) for managing a wide range of applications in task-oriented manner and easy to adapt to new applications in (col. 3, lines 1-5), for user's intention (col. 6, lines 10-18), and for reuse of design codes as in col. 3, lines 20-41.

This would have motivated practitioner in the art at the time of the invention was made to modify Comerford dialog manager by combining programmer defined feature in the dialog management to enable human-computer interaction to interact with user's application in task oriented manner and adaptation way, and efficiency of design codes being reused in the dialog manager for various applications as taught in Papineni (col. 3, lines 20-41, and col. 4, lines 1-32).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thai Phan whose telephone number is 703-305-3812.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on 703-305-9704. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Thai Phan
Mar. 07, 2004

Thaiphon
Thai Phan
Patent Examiner
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